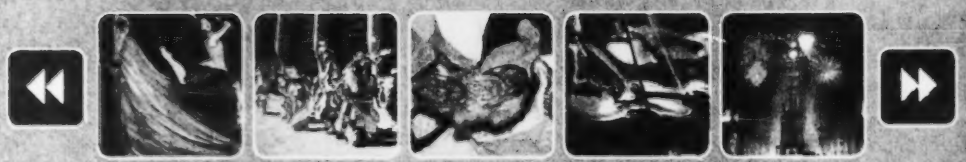
Canadian Heritage | Patrimoine canadien

Canada

Access to Information Act

Annual Report 2007-2008



The Right to Know!

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ACCESS TO INFORMATION ACT

ANNUAL REPORT
(April 1, 2007 to March 31, 2008)

INTRODUCTION

The information contained in this report pertains to the administration of the *Access to Information Act* within the Department of Canadian Heritage.

The Department of Canadian Heritage is responsible for policies and programs relating to arts, culture, heritage, broadcasting, Canadian identity, multiculturalism, official languages, aboriginal culture and languages, youth, citizens' participation and sports. More specifically, areas of responsibility include:

- developing Canadian cultural and broadcasting policies; assisting cultural industries and arts and heritage organizations; and encouraging the creation, production, distribution, consumption and preservation of cultural and heritage goods and services;
- fostering Canadians' collective sense of self and promoting civic participation among all members of Canadian society;
- promoting a greater understanding of human rights;
- managing programs and initiatives related to the multicultural character of Canadian society;
- encouraging and developing sports; and
- advancing the equality of status and use of the official languages, and supporting the development of official-language minority communities.

Four (4) ministers with responsibilities related to Canadian Heritage have been appointed within the portfolio of the Minister of Canadian Heritage and Status of Women. They are the Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie, the Minister of Foreign Affairs and International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, the Secretary of State for Foreign Affairs and International Trade and Sport and the Secretary of State for Multiculturalism and Canadian Identity.

Regional operations are the responsibility of five regional offices (Atlantic, Quebec, Ontario, Prairies and Northern and Western).

The responsibility for the administration of the *Access to Information Act* lies within the departmental Corporate Secretary's office. The Access to Information and Privacy Secretariat coordinates all activities related to the legislation within the Department both at headquarters and in the regions.

The following report presents an overview of activities carried out within the Department during the reporting period of April 1, 2007 to March 31, 2008.

Statistical Report - Access to Information Act Requests

The appended report (Appendix A) contains detailed statistics on the information requests processed under the *Access to Information Act*.

INTERPRETATION OF THE STATISTICAL REPORT ACCESS TO INFORMATION ACT REQUESTS

Between April 1, 2007 and March 31, 2008, the Department received two hundred and seventy-one (271) formal information requests under the *Access to Information Act*. Ninety (90) requests were carried forward from the previous reporting period. Two hundred and sixty-two (262) requests were completed before the end of March. Ninety-nine (99) requests were carried forward to the next reporting period for the following reasons: eighty-two (82) requests required additional time to allow for consultations with third parties and seventeen (17) requests were received at the end of the reporting period. All of the requests that are shown as carried forward from the 2006-2007 reporting period were completed during the reporting period under review.

The following is a percentage breakdown by source of information requests received during 2007-2008:

30.3%	**public**
21.0%	**media**
19.6%	**business**
9.2%	**academia**
19.9%	**other organizations**

In most cases, the information that was exempted from disclosure from those records that were "disclosed in part" was personal information pertaining to other individuals, third party financial and/or commercial information, advice or recommendations developed by the Department or accounts of internal discussions.

In five (5) cases, all of the requested information was exempted from disclosure under section 24 of the Act.

The twenty-nine (29) requests that were abandoned were received from individuals who, after being informed of the provisions of the Act, either withdrew their requests or did not respond to our correspondence.

The thirty-eight (38) requests included in the "unable to process" category were received from applicants who requested access to records that either did not exist or were not described clearly enough to allow for their identification.

Fees

The Department has adopted Treasury Board Secretariat of Canada guidelines on fees and fee waivers. Processing fees that do not exceed $25 are automatically waived. Decisions to waive or reduce processing fees that exceed $25 are made on an individual basis and are based on the public benefit which would be derived from the disclosure of the records.

No waiver is granted for the initial application fee. It is, however, reimbursed under the following conditions: when the request is for information that is available under the *Privacy Act* or when the information is available informally.

Time Limitations

During fiscal year 2007-2008, 37% of completed requests were processed within the initial 30-day period. In thirty-six (36) cases, the Department required a 30-day time extension in order to conduct consultations with either third parties and/or other federal government departments. In one-hundred and twenty-nine (129) cases, an extension of over 30 days was required because of the number of records requested and to enable the Department to conduct necessary consultations.

Costs

The costs reported in the statistical report include not only those costs incurred for the processing of information requests, but also those incurred for activities related to the administration of the Act such as the presentation of briefing sessions, the development of information materials on the Act and the development of policies and procedures.

FORMAL/INFORMAL INTERFACE

Departmental officials continue to respond to informal requests from the public. Program officers are aware of the impact of the legislation and promptly refer formal information requests to the ATIP Secretariat. Program officers also contact the Secretariat for guidance on the disclosure of information through informal processes.

COMPLAINTS/INVESTIGATIONS

During the reporting period under review, one (1) complaint was filed with the Office of the Information Commissioner of Canada.

This complaint concerned the delay in responding. It was not resolved at the end of the reporting period.

FEDERAL COURT OF CANADA

No appeals were filed by applicants with the Federal Court of Canada during the reporting period under review.

ADMINISTRATIVE PRACTICES

Delegation of Authority

Decision-making responsibility for the application of the various provisions of the *Access to Information Act* is fully delegated to the Departmental Access to Information Coordinator.

Procedures

The Access to Information and Privacy Secretariat acts as a central coordinating point for the processing of information requests received under the *Access to Information Act.* As such, the Secretariat maintains data banks and keeps statistical records on requests processed. Requests are received by the Secretariat and forwarded to the appropriate Program for retrieval of the requested records. Program officials retrieve the records and prepare preliminary recommendations concerning their disclosure. These recommendations are reviewed by the Secretariat. The Secretariat assesses the application of the Act, conducts all necessary consultations with and/or notifications of third parties, and prepares final recommendations for review by the appropriate delegated authority. When the final recommendations have been approved by the appropriate delegated authority, the Secretariat prepares the records for disclosure.

Reading Room

To encourage the public to use existing channels for obtaining departmental information and in response to the requirements of the Act, a "Reading Room" is maintained within the Departmental Library. The content of the reading room is reviewed and updated on a regular basis.

The Reading Room contains publications to assist applicants to identify departmental records (e.g. InfoSource, Departmental File Classification Manuals, etc.) and facilitate the formulation of requests. Copies of InfoSource and of departmental manuals are also available for consultation in departmental regional offices.

Numerous departmental documents are made available to members of the public for consultation on the premises or through interlibrary loan. These documents include; for example, consultants' reports, research reports, briefs and news releases relating to departmental activities.

Briefing Sessions/Information Pamphlet/Website

To ensure that all employees of the Department are aware of the legislation, an Employee Orientation Session is given periodically. These briefing sessions provide basic information on the provisions of the *Access to Information Act*.

In 2007-2008, seventeen (17) information sessions on the *Access to Information Act* were given to departmental employees in the National Capital Region. As well, two (2) information sessions were held in the Saskatoon and Yellowknife regional offices. In total, two hundred and forty-seven (247) employees attended these sessions.

An information pamphlet is available to employees of the Department, providing them with an overview of the *Access to Information Act* so that they have a general understanding of this Act, the impact that it has on the Department and on their responsibilities with respect to the creation and conservation of departmental records. This pamphlet also describes the policies and procedures that promote efficiency and effectiveness in the collection, use and dissemination of information.

The Access to Information and Privacy Secretariat's website resides on the Department's intranet site. The website describes the ATIP Secretariat's roles and responsibilities and provides information on the *Access to Information Act* and related departmental policies and procedures. The site is continuously being updated and new tools are added.

Government of Canada / Gouvernement du Canada

REPORT ON THE ACCESS TO INFORMATION ACT / RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATON

Appendix A/Annexe A

Institution				Reporting period / Période visée par le rapport	
Canadian Heritage / Patrimoine canadien				April 1, 2007 to March 31, 2008	
Source	Media / Médias	Academia / Secteur universitatire	Business / Secteur commercial	Organization / Organisme	Public
	57	25	53	54	82

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information

Received during reporting period / Reçues pendant la période visée par le rapport	271
Outstanding from previous period / En suspens depuis la période antérieure	90
TOTAL	361
Completed during reporting period / Traitées pendant la période visées par le rapport	262
Carried forward / Reportées	99

II Dispositon of requests completed / Disposition à l'égard des demandes traitées

1	All disclosed / Communication totale	64	6	Unable to process / Traitement impossible	38
2	Disclosed in part / Communication partielle	124	7	Abandoned by applicant / Abandon de la demande	29
3	Nothing disclosed (excluded) / Aucune communication (exclusion)	0	8	Treated informally / Traitement non officiel	1
4	Nothing disclosed (exempt) / Aucune communication (exemption)	5		TOTAL	262
5	Transferred / Transmission	1			

III Exemptions invoked / Exceptions invoquées

S. Art. 13(1)(a)	16	S. Art 16(1)(a)	1	S. Art. 18(b)	0	S. Art. 21(1)(a)	60
(b)	0	(b)	0	(c)	0	(b)	0
(c)	0	(c)	0	(d)	0	(c)	0
(d)	0	(d)	0	S. Art. 19(1)	93	(d)	0
S. Art. 14	7	S. Art. 16(2)	0	S. Art. 20(1)(a)	70	S. Art.22	4
S. 15(1) Art. International rel. / Relations interm	16	S. Art. 16(3)	0	(b)	0	S. Art.23	37
Defence / Défense	0	S. Art. 17	0	(c)	0	S. Art. 24	8
Subversive activities / Activités subversives	0	S. Art. 18(a)	5	(d)	0	S. Art.26	1

IV Exclusions cited / Exclusions citées

S. Art. 68(a)	8	S. Art. 69(1)(c)	0
(b)	0	(d)	0
(c)	0	(e)	0
S. Art. 69(1)(a)	78	(f)	0
(b)	0	(g)	0

V Completion time / Délai de traitement

30 days or under / 30 jours ou moins	97
31 to 60 days / De 31 à 60 jours	36
61 to 120 days / De 61 à 120 jours	63
121 days or over / 121 jours ou plus	66

VI Extensions / Prorogations des délais

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	0	7
Consultation	35	61
Third party / Tiers	0	62
TOTAL	35	130

VII Translations / Traduction

Translations requested / Traductions demandées		0
Translations prepared / Traductions préparées	English to French / De l'anglais au français	0
	French to English / Du français à l'anglais	0

VIII Method of access / Méthode de consultation

Copies given / Copies de l'original	170
Examination / Examen de l'original	0
Copies and examination / Copies et examen	18

IX Fees / Frais

Net fees collected / Frais net perçus			
Application fees / Frais de la demande	1355.00	Preparation / Préparation	0.00
Reproduction	2756.50	Computer processing / Traitement informatique	0.00
Searching / Recherche	750.00	**TOTAL**	4861.50

Fees waived / Dispense de frais	No. of times / Nombre de fois	$
$25.00 or under / 25 $ ou moins	54	$ 532.00
Over $25.00 / De plus de 25 $	0	$ 0.00

X Costs / Coûts

Financial (all reasons) / Financiers (raisons)		
Salary / Traitement	$	389375.68
Administration (O and M) / Administration (fonctionnement et maintien)	$	79617.19
TOTAL	$	468992.87

Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	7.9

CANADIAN HERITAGE

DELEGATED FINANCIAL SIGNING AUTHORITIES CHART

Position Level	POSITION TITLE	AREA OF AUTHORITY	SPENDING AUTHORITY: EXPENDITURE INITIATION – Section 32 FAA - Commitment Authority: Salaries & Other Personnel Costs	Recognition	Travel	Relocation	Isolated Posts	Training and Development	Hospitality	Conferences	Memberships	Standing Advances	Approval of Grants and Contributions	Grant or Contribution Agreements	Refunds of Revenue	Claims by and against the Crown	Ex Gratia Payments	Other Goods and Services	Section 34 FAA – Contract Performance: Travel, Relocation and Hospitality Claims	Grants and Contributions	Salaries & Other Personnel Costs	Other Goods and Services	Section 33 FAA Payment Authority	OTHER AUTHORITIES: Leases and licences (Crown as tenant)	Loan Agreement (Materiel/Artifacts/Objects)	Losses of Money	Approve Debt Write-Off	Request or Acceptance of Set-Offs	Write-Off Materiel	Interest & Admin Charges Waiver	Access to Information and Privacy	TB Submissions & other related Documents
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
1	Deputy Minister/Associate Deputy Minister	Department	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F	F
2	Assistant Deputy Minister/Associate Assistant Deputy Minister/Senior Advisor to the Deputy Minister or equivalent manager reporting to level 1	Assigned Funds Centre(s)/Cost Centre(s)	F	F	F	F	F	F	F	F	F		3	F	F	F	F	F	F	F	F	F		F	F	F		F	F	F		
3	Regional Executive Director	Region	F	F	F	F	F	F	F	F	F		3	F	F	F	F	F	F	F	F	F	F	F	F	F		F	F	F		
3	Director General/General Counsel or equivalent manager reporting to level 2	Assigned Funds Centre(s)/Cost Centre(s)	F	F	F	F	F	F	F	F				F	F	F	F	F	F	F	F	F		F	F							
3	Chief Operating Officer for CHIN and CCI	Agency	F	F	F	F	F	F	F	F				F	F	F	F	F	F	F	F	F		F	F							
4	Director/Manager or equivalent manager reporting to level 3	Assigned Funds Centre(s)/Cost Centre(s)	F		F		F	F	F	F	F			F	F	F	F	F	F	F	F	F		F	F							
5	Chief/Head or equivalent manager reporting to level 4	Assigned Funds Centre(s)/Cost Centre(s)	F		F		F	F						F	F			F	F	F	F	F		F	F							
6	Supervisor/Senior Officer or equivalent manager reporting to level 5	Assigned Funds Centre(s)/Cost Centre(s)	F		F		F	F										F	F	F	F	F										
7	Administrative Officer/Executive Assistant or equivalent position reporting to any level	Assigned Funds Centre(s)/Cost Centre(s)																10				10										
	SPECIAL AUTHORITIES																															
	Senior Financial Officer (SFO)	Department										F			F	F	F	F	F	F	F	F					F	F	F	F		
	Senior Full-time Financial Officer (SFFO)	Department										F			F	F	F	F	F	F	F	F					F	F	F	F		
	Director General, Sport Canada	Assigned Funds Centre(s)/Cost Centre(s)											F																			
	Director General, Human Resources and Workplace Management (HRWM)	Department	F															F			F											
	Corporate Secretary	Department																													F	
	Executive Director, Centre of Expertise for Grants and Contributions	Department																		F												
	Director, Accounting Operations, Financial Policies & Systems	Department										F			F	F	F	F	F		F	F	F					F		F		
	Director, Labour Relations, Compensation and Well-being (HRWM)	Department	F																		F											
	Director, Materiel Management & Contracting Services	Department																F											F			
	Director, Access to Information and Privacy Secretariat	Department																													F	
	Manager, Compensation and Benefits (HRWM)	Department	F																		F											
	Chief, Departmental Accounting	Department										F			F						F	F	F							F		
	Manager, NCR Client Services	Department																					F									
	Director, Corporate Services or equivalent position	Region													F			F	F	F	F	F	F						F	F		
	Financial Officer	Region																					F									

RECOMMENDED BY:

Original signed by Judith A. LaRocque on August 20, 2007

Deputy Minister

APPROVED BY:

Original signed by Josée Verner on August 21, 2007

Minister

Notes:

1. This Chart must be read in conjunction with the **Notes to the Delegated Financial Signing Authorities Chart** and **Appendix A,** which defines terms/conditions and financial limitations to the Delegated Financial Signing Authorities Chart.
2. The letter "F" means that the position has been delegated full authorities **subject to specific authorities and dollar limitations** as described in **Appendix A** for the corresponding column.
3. Where dollar amounts are specified, e.g., 1 = $1,000, these amounts cannot be exceeded. In addition, a blank cell means that no authority has been granted.

Appendix B/Annexe B